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September 28, 2012

VIA ELECTRONIC & CERTIFIED MAIL

Bruning for Senate Inc.
228 S. Washington St., Ste. 115
Alexandria, VA 22314

Attention: Lisa Lisker (Assistant Treasurer)

Dear Ms. Lisker:

On September 18, 2012, the Federal Election Commission has notified BNSF Railway Company PAC "RAILPAC" (FEC ID# C00235739) that its contribution to the Bruning for Senate campaign of \$5,000 on May 9, 2012 designated to the 2012 General Election has exceeded the limit. Please note BNSF RAILPAC is affiliated to the following committees that have previously contributed to the Attorney General's campaign for his U. S. Senate bid on record with the FEC:

PacifiCorp/MidAmerican PAC (C00082800) - \$5,000.00 - 12/29/10 - Primary 2012
MidAmerican Energy Company Executive PAC (C00324483) - \$5,000.00 - 02/28/11 - General 2012

Additionally, on May 16, 2012, BNSF Railway RAILPAC requested via electronic mail a refund from the Bruning for Senate committee for the May 9, 2012 contribution but did not receive any response (copy attached). At this time, we would again respectfully request for BNSF RAILPAC's contribution of \$5,000.00 be refunded immediately.

Thank you in advance for your cooperation.

Sincerely,

Patricia Murphy
Treasurer, BNSF Railway Company RAILPAC

cc: Ashley Carter
FEC, Sr. Campaign Finance Analyst
Report Analysis Division
999 E Street, NW
Washington, DC 20463

Murphy, Patricia A

From: Murphy, Patricia A
Sent: Wednesday, May 16, 2012 5:03 PM
To: 'llisker@hdapec.com'
Cc: 'campaign@jonbruning.com'; Jose Cajayon
Subject: PAC Refund for Bruning for Senate Inc.

To: Lisa Lisker, Assistant Treasurer, Friends of Jon Bruning
From: Patti Murphy, Treasurer, BNSF RailPAC
Date: May 16, 2012

We were so sorry to hear that Attorney General Bruning lost his primary bid for the U.S. Senate in Nebraska. This is to advise you that since he did lose, the BNSF RailPAC check dated May 9, 2012 in the amount of \$5,000 to the General 2012 election will need to be refunded. Unfortunately, this amount cannot be re-allocated to the primary election since an affiliated PAC of ours, MidAmerican Energy Company Executive PAC gave \$5,000 on February 28, 2011 to the AG's primary race. Therefore, RailPAC is not permitted to give to that race. As you know, affiliated PACs collectively can only give \$5,000 per election and since MidAmerican already gave to his primary, RailPAC needs to be refunded for its general contribution.


Thank you for your assistance to this matter. If you have any questions, please let me know.

Best regards,

Patti Murphy
RailPAC Treasurer

Patti Murphy • BNSF Railway • patricia.murphy@bnsf.com • Phone 202-347-8662 • Fax 202-347-8675

Federal Election Commission
ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS
The FEC added this page to the end of this filing to indicate how it was received.

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Next Business Day Delivery <input type="checkbox"/>	
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<input type="checkbox"/> Other (Specify):	Date of Receipt or Postmarked
 PREPARER	<i>10/15/12</i> DATE PREPARED

(3/2005)